IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION

KIMBERLY HARTMAN)
Plaintiff,)
v.)) Case No.: 6:20CV00027
CENTRA HEALTH, INC., and) Case No.: 0.20C v 00027
STEPHANIE EAST,)
Defendants.)

DEFENDANTS' NOTICE OF CONSENT TO PLAINTIFF'S FILING OF SECOND AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 15(a)(2)

Defendants Centra Health, Inc. ("Centra") and Stephanie East ("East") have reviewed Plaintiff's Motion for Leave to File Second Amended Complaint (ECF No. 83) and proposed Second Amended Complaint (ECF No. 83-1 through 83-7). Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, Defendants hereby provide written consent to Plaintiff's filing of her proposed Second Amended Complaint.

In so providing consent, however, Defendants do not waive and instead expressly reserve all objections and defenses to the sufficiency of this new pleading and any other defenses, including those that may be asserted pursuant to Rule 12(b) or (c). Defendants further provide notice that they do not expect to consent again to Plaintiff making further amendment because this is the third iteration of her pleading which has added unnecessary costs, burdens and inefficiencies.

Having consented to Plaintiff's filing of her proposed Second Amended Complaint, Defendants will file their Answers, Affirmative Defenses and Counterclaims to Plaintiff's Second Amended Complaint as well as any Motions to Dismiss Plaintiff's newly asserted third cause of action under Virginia Code § 40.1-29 within 14 days from today (by October 18, 2021) pursuant to Rule 15(a)(3).

Centra's filing of its Counterclaims in response to Plaintiff's Second Amended Complaint moots Plaintiff's Joint Motion for a More Definite Statement and to Strike Centra's current Counterclaims (ECF No. 78). Accordingly, unless the Court directs otherwise, Centra does not intend to respond to Plaintiff's Joint Motion for a More Definite Statement and to Strike beyond advising the Court of its opposition. Plaintiff will have the opportunity to file responsive pleadings to Centra's Counterclaims within 14 days after they are filed (by November 1, 2021).

Dated: October 4, 2021 Respectfully submitted,

/s/

Joshua F. P. Long (VSB No. 30285) Joshua R. Treece (VSB No. 79149) Woods Rogers PLC P.O. Box 14125 10 South Jefferson Street, Suite 1400 Roanoke, Virginia 24038-4125 Telephone: (540) 983-7600

Facsimile: (540) 983-7000 Facsimile: (540) 983-7711 jlong@woodsrogers.com jtreece@woodsrogers.com

Counsel for Centra Health, Inc. and Stephanie East

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of October, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notice to the following counsel of record:

M. Paul Valois, Esq.
JAMES RIVER LEGAL ASSOCIATES
7601 Timberlake Road
Lynchburg, VA 24502
Phone: 434-845-4529

Fax: 434-845-8536 mvalois@vbclegal.com

Counsel for Kimberly Hartman

/s/